

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA OF  
SOUTHERN DIVISION

## ORDER

On February 4, 2009, the Magistrate Judge filed a Recommendation (Doc. #29) in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is the

ORDER, JUDGMENT and DECREE of the court that:

1. The Recommendation of the Magistrate Judge is ADOPTED.
2. That this case is DISMISSED without prejudice for failure of the plaintiff to comply with the orders of this court.

DONE this the 24th day of February, 2009.

/s/ Mark E. Fuller  
CHIEF UNITED STATES DISTRICT JUDGE